

**FARMINGTON CITY**  
**PLANNING COMMISSION MEETING**  
September 29, 2011

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**STUDY/WORK SESSION**

**Present:** *Chairman Randy Hillier, Vice Chairman Jim Young, Commission Members Nelsen Michaelson, and Michael Nilson, Alternate Commission Members Brett Anderson, Community Development Director David Petersen, Associate City Planner Christy Alexander and Recording Secretary Cynthia DeCoursey. Commission Members Steven Andersen, Rick Draper and Michael Wagstaff and Alternate Commission Member Kris Kaufman were excused.*

**Chairman Hillier** began the work session at 6:30 p.m.

**#1 – Minutes** - Minutes of the August 25, 2011 and the September 15, 2011 meetings were reviewed, and several amendments were made.

**#3 – Gary & Tiffany McCalla – Applicant is requesting a recommendation of approval for a Plat Amendment for the Farmington Hills Plat B subdivision encompassing 2.24 acres and consisting of 3 lots located at approximately 49 East 1020 North in an LR-F zone. (S-12-11)** – The Commission discussed the location of the water line and the size of the lots and expressed concern regarding the proposed common driveway access off the cul-de-sac, the shared access easement on the driveway for Lot B and Lot C, and the access for Lot A through the Pointe of View City Park.

**#4 – Farmington City – (Public Hearing) – Applicant is requesting a recommendation to amend the City’s General Plan by re-designating all of those areas north of Shepard Creek, west of I-15, south of Shepard Lane, and east of the UTA rails to trails right-of-way identified as “Transportation Mixed Use” (TMU) and “Low Density Residential” (LDR) and “Medium Density Residential” (MDR) to “Class A Business Park” (CA/BP); and rezoning these same areas from RMU (Residential Mixed Use) and LR (Large Residential) and R-4 to OMU (Office Mixed Use). (Z-1-11)** – There was a discussion regarding the input received from property owners and other stakeholders who will be affected by this proposal, and **David Petersen** said he expects additional public comments during the regular session.

**#5 – Applicant is requesting approval of proposed fencing for the Hampton Inn Conditional Use** – The applicant met with property owners to determine the type of fence which will be installed around the entire northern and eastern property lines.

**REGULAR SESSION**

**Present:** *Chairman Randy Hillier, Vice Chairman Jim Young, Commission Members Nelsen Michaelson, and Michael Nilson, Alternate Commission Members Brett Anderson, Community Development Director David Petersen, Associate City Planner Christy Alexander, and Recording Secretary Cynthia DeCoursey. Commission Members Steven Andersen, Rick Draper and Michael Wagstaff and Alternate Commission Member Kris Kaufman were excused.*

**Chairman Hillier** began the meeting at 7:05 p.m., and welcomed those in attendance. The opening prayer was offered by **Brett Anderson**.

**#1 – Minutes**

The minutes of the August 25, 2011 meeting were not approved due to an insufficient number of Commissioners to vote on the approval.

**Motion**

**Michael Nilson** made a motion to approve the minutes of the September 15, 2011 Planning Commission meeting as amended. The motion was seconded by **Jim Young** and approved by Commission Members **Hillier, Michaelson, Nilson, and Young**. Alternate Commission Member **Brett Anderson** abstained because he did not attend the meeting.

## **#2 – City Council Report**

**David Petersen** reported that the City Council approved the Zoning Text Amendment regarding Historic Buildings, and an inspection of the brick on the outside of the home located on 100 North showed that the brick is in very good condition.

## **SUBDIVISION APPLICATION**

**#3 – Gary & Tiffany McCalla – Applicant is requesting a recommendation of approval for a Plat Amendment for the Farmington Hills Plat B subdivision encompassing 2.24 acres and consisting of 3 lots located at approximately 49 East 1020 North in an LR-F zone. (S-12-11)**

**Christy Alexander** explained that plat amendments require Planning Commission approval prior to final approval from the City Council. She said the property owners adjacent to the three subject properties and the owners of the three lots have agreed to the amendment. When asked how the City could allow access through a City park, she explained that the grade was too steep to locate the driveway off the cul de sac, and this access will be around the edge of the park and have a private drive. Commission Members discussed this issue and asked City staff to contact the property owners regarding both the location of the existing water lines and the plan for the driveway.

## **Motion**

**Jim Young** made a motion to recommend that the City Council amend Plat B of the Farmington Hills Plat as requested, subject to all applicable codes, development standards and ordinances and with the following conditions:

1. Applicant must show existing utilities/easements on each lot on the recorded plat;
2. Driveway slopes shall not be greater than 14%;
3. Applicant must obtain a shared access easement for Lots B and C.

The motion was seconded by **Michael Nilson** and approved by Commission Members **Hillier, Michaelson, Nilson, and Young** and Alternate Commission Member **Brett Anderson**.

## ***Findings:***

1. Each time it rains, sediment from the existing sites flows down the street and into the storm drains. The completion of landscaping to these sites will eliminate the erosion issue that exists today.
2. The completion of homes will block a common access point by off road vehicles to BLM land and thus reduce the unauthorized use/abuse of the sites.
3. The completion of new homes, sidewalks and landscaping will complete the subdivision and beautify the neighborhood thus eliminating the eyesore that is present today.

## **GENERAL PLAN & ZONING AMENDMENT APPLICATION**

**#4 – Farmington City – (Public Hearing) – Applicant is requesting a recommendation to amend the City's General Plan by re-designating all of those areas north of Shepard Creek, west of I-15, south of Shepard Lane, and east of the UTA rails to trails right-of-way identified as "Transportation Mixed Use" (TMU) and "Low Density Residential" (LDR) and "Medium Density Residential" (MDR) to "Class A Business Park" (CA/BP); and rezoning these same areas from RMU (Residential Mixed Use) and LR (Large Residential) and R-4 to OMU (Office Mixed Use). (Z-1-11)**

**Chairman Hillier** reminded those in attendance the public hearing regarding this item was continued at the September 15, 2011 meeting to allow a primary landowner extra time to respond.

**David Petersen** reported that City staff and two members of both the Planning Commission and City Council met with the property owner who gave his approval of the amendment. The City is looking forward to having a higher tax base and creating jobs—Station Park is moving forward but needs additional day time customers.

### **Public Hearing**

At 7:25 p.m. **Chairman Hillier** continued the public hearing:

**Brian Shepherd**, 818 McKittrick Lane, retired from the military last year and moved to Farmington. He has lived all over the world, but this is where he decided to put down his roots. He understands that a higher tax base is driving this proposal, but he would not mind paying higher property taxes to maintain the quality of life he currently has. He would rather have houses than offices in this area. He is originally from Iowa, he loves the country, and he feels that he has the best of both worlds right now. He is afraid of what will happen in the future if these office buildings fail, and he asked the Commission to rethink this proposal.

**Christine Peck**, 1926 West Riger Place, lives on the west side of Farmington, and she criticized the City Manager's grand idea to bring Daybreak to Farmington. She does not want to live in Daybreak and chose to raise her family here because of the country setting. She lives in an HOA with required open space areas and was told that Farmington values open space but does not understand why the City is planning a 10-story office building in this area. It does not make sense because there are currently empty office buildings in the City. Large companies will not come to Farmington—they prefer urban areas. She pleaded with the Commission to reject this change and feels that the **Mayor** and the City Council do not care about west Farmington.

**Becky Goodrich**, 938 North 1875 West, lives in west Farmington and may be in the path of the West Davis Corridor. She asked how the Legacy Highway fits into the City's plan.

**David Petersen** explained that one alignment may follow the I-15 corridor with a pair of flyovers and then go through 950 North. Another possibility is to wrap around on Glover Lane, but either way, it appears there will be an interchange at Shepard Lane. A wide collector street will also likely be part of the plan, and if Legacy goes to the west, two interchanges may be necessary which would sandwich her home between two major collector streets.

**Becky Goodrich** said she does not want her home to be the middle of a sandwich. She heard that a main reason for the office park is to create jobs and add support for Station Parkway, but does it make sense to make another bad decision after the first bad decision of allowing Station Park? Why would the City want to fail twice? The City has taken a bedroom community and thrown away good money after bad. She moved here because of the quality of life and family that is here. The west side is getting barraged with a lot of crap, and this proposal does not make sense. She asked the Commission to please help the residents on the west side preserve their quality of life.

**Matt Gore**, 2068 West 400 North, lives on the west side and believes that people should be able to work, live, play, and shop in their community. Cities that do not have a balance in their use of land tend to have higher taxes and may be deficient in one or more of those areas. He believes this will be a good use because of its close proximity to Station Park and the Front Runner Station, and it makes a good transition from commercial to residential. Also, business parks typically have more open space than commercial developments. He suggested locating the tallest buildings away from homes and having a buffer zone along the trail. He believes that residential development will cause property taxes to rise, and he is in favor of the proposal if it is done responsibly.

**Larry Haugen**, 94 East, 500 North, owns three acres in this area, and he is in favor of the plan to rezone the area which will help keep property taxes lower. He owns ten acres on the east side and paid more than \$30,000 in

property taxes this year. He agrees with **Matt Gore's** opinions that we need a balanced community. Also, with the increased tax base, the City may be able to purchase a ladder truck which is desperately needed.

**Kyle Stowell**, 1764 W. Burke Lane, moved to Farmington because of the small town rural feeling. He owns a one-acre lot and has cows, horses, and chickens and would like to preserve the rural nature of the area. Woodside Homes proposed a subdivision with ½-acre lots which would have been ideal, but they were unable to finish the project. He asked the Commissioners how they would feel if these office buildings were in their backyards and stressed that the rights of the existing property owners need to be protected. He is disappointed with the City's proposal for a business park in this area and asked if the City has considered the area east of 89 for CA/BP.

**Heidi Herron**, 926 North 1875 West, commutes to Salt Lake City to work each day and then comes home to Farmington. People ask her why she lives in Farmington, and she said it feels like home—it is where she would like to raise her children. She prefers that the area behind her home become residential and not a business park. She referred to the name "Farm-ing-ton" and stressed that they want to keep the "farms" here. If the City builds the office park on this large piece of property, there will be no space for the City to grow, and the buildings will all become outdated at the same time. She suggested allowing portions of the area to be office buildings and including a mix of other uses and possibly some apartment buildings. There are currently many available office buildings in both Farmington and Salt Lake City which need to be leased.

Commissioner **Rick Draper** arrived at the meeting at 7:40 p.m.

**Shale Goodrich**, 938 North 1875 West, plays in his backyard almost every day. He has a little fort where he sometimes sleeps, but it is hard to sleep at night because of the sounds from the railroad tracks. He cannot imagine having extra noise from cars and lights from buildings. His paradise would be ruined if office buildings are built.

The public hearing was closed at 7:46 p.m.

**David Petersen** shared some of the City's reasoning for this proposal and said a master plan is a broad view of what the City would like to have happen. Most of this area is zoned agriculture, and property owners have a right to develop a certain density on their property. The Garbett Homes development has 12 units per acre; this RMU area could allow 24 units per acre. The LR portion (40 acres) could allow at least double the density of the Hunter's Creek and Spring Creek subdivisions, and the R-4 area could allow between 9-10 units per acre. The City Council is concerned because even during the recession, Farmington had the third highest number of building permits in the state in 2009, and in 2010 the City issued 285 building permits—some cities in the state had zero. The Council's first choice would be to down zone these areas, but because property rights would be taken away, the City would likely face legal entanglements. Since 2004 the City has envisioned a corporate employment center which would boost the City's economy. It may not happen for another 25 years, but if the Council does not take a stand on this area now, they will lose it to high density housing. Zoning is a precursor to development, and there is no market for office buildings now, but there is a market for housing. He stressed that the City Council cares about the concerns of residents in west Farmington. There are still unanswered questions, but the City wanted to slow things down. CenterCal is currently pulling permits for Phase 2 which is 450,000 square feet of office and retail space—they plan to have a total of 950,000 square feet. The area north of Lagoon is zoned CMU—a Hampton Inn was just approved, and that area could open up for more development as well.

**Chairman Hillier** asked for comments from the Commission:

**Jim Young** said this is a very important decision, and he asked for additional details regarding the standards for a Class A Business Park and the location of currently empty office buildings in Farmington. **Brett Anderson** asked if the elevations would be reviewed by the Planning Commission prior to approval and if there were other ways to control the height and other standards. **Michael Nilson**, an architect, explained that a high-quality office park would include buildings of a higher grade and a higher standard of architecture with nice landscaping and mature trees. He enjoys living in Farmington, too, and the City is trying to maintain the proper balance of adequate housing, solid

businesses, and proper infrastructure. The Fire Department needs a ladder truck which has to be paid for with taxes. He pointed out that the current trail provides a natural barrier which will provide separation between the business park and residential areas. **Nelsen Michaelson** works for Deloitte & Touche, a company which occupies only Class A office space—in Salt Lake City they are located in the Wells Fargo building. He lives in west Farmington and loves it, but he knew it would change because the City must plan for the future and try to maintain a desirable balance. He moved from a city in Connecticut which decided to remain a bedroom community, and his taxes were twice as much as they are here. Property taxes alone cannot keep up with the costs of infrastructure—commercial development provides balance for a city. **Chairman Hillier** thanked **Mr. Petersen** for pointing out that this is likely a very long term project, and the City is trying to determine the best use for the area.

**David Petersen** responded to questions and comments and said a portion of the K-mart building is currently empty. Another issue driving this proposal is that Farmington is the only city in Davis County that does not have a 24-hour fire department, and Davis County also lacks Class A office space. Specific plans for the business park would be reviewed by the Site Plan and Architectural Review Committee (SPARC) which includes members of the City Council, Planning Commission, a consultant and City staff. They are private meetings, but their recommendations are public. Zone text amendments could also be used to control height and other standards. An additional public hearing will be held at the Oct. 4, 2011 City Council meeting.

### **Motion**

**Jim Young** made a motion to recommend approval of the proposed amendments to the General Plan Map and Zoning Ordinance Map as set forth in the September 15, 2011 staff report and to designate the Shepard Creek corridor on the General Plan map between I-15 and the UTA right-of-way as Public/Private Recreation, Open Space, and/or Park, Very Low Density (PPR) with Findings 1-11. The motion was seconded by **Nelsen Michaelson** and approved by Commission Members **Draper, Hillier, Michaelson, Nilson, and Young** and Alternate Commission Member **Brett Anderson**.

### **Findings:**

1. A large area is set aside (approximately 240 acres) for Class A office park and ancillary mixed uses;
2. The change results in increased future land values for the property owners, yet they can maintain their green belt status until they are ready to develop;
3. This area will provide increased future property taxes for the Davis School District, Davis County, Farmington City, and other taxing entities, as office use assessments are considered at 100% the value of the property;
4. It will result in a more balanced tax base for the City. As Station Park continues to grow, sales tax received will also continue to increase. The changes to the General Plan and Zoning Map will enable another source of revenue for the City thereby reducing reliance on only sales tax revenue;
5. Property tax is a less volatile revenue source than sales tax;
6. A large day-time employment population will enhance even more the viability of the Station Park area resulting in increased sales tax.
7. It will reduce vehicle miles traveled (VMT) for the County and the City due to less commuter trips;
8. A reduction in VMT means cleaner air. The change to the General Plan and Zoning map will result in a better environment;
9. The City established an RDA area as a precursor to the Station Park development. The proposed changes help fulfill commitments made to the taxing entities;
10. Sanitary sewer capacity is limited in the area. The change may reduce the need to increase this capacity;
11. The PPR designation is consistent with similar General Plan designations for other stream corridors and is consistent with the open space mixed-use district identified on the Farmington TOD Regulatory Plan as set forth in Chapter 18 of the Zoning Ordinance.

### **OTHER BUSINESS**

## **#5 – Applicant is requesting approval of proposed fencing for the Hampton Inn Conditional Use**

**Jeff Randall**, 2010 N. Redwood Road, said they met with the neighbors and reached an agreement regarding the type of fencing which will be used—it is the same material as the fence surrounding City Hall.

### **Motion**

**Nelsen Michaelson** made a motion to approve the proposed fencing and area of placement for the Hampton Inn Conditional Use subject to all applicable codes, development standards and ordinances and with the following conditions.

1. The fence must be a solid 6' tall brown Sim Tek fence as agreed upon by the affected nearby property owners and Shreya Management;
2. The fence must be able to withstand 120 mph winds/3 seconds gust;
3. The fence must be placed around the entire northern and eastern Hampton Inn property lines;
4. The wall must be installed and completed prior to a certificate of occupancy being issued by the City.

The motion was seconded by **Rick Draper** and approved by Commission Members **Draper, Hillier, Michaelson, Nilson, and Young** and Alternate Commission Member **Brett Anderson**.

### ***Findings:***

1. The proposed fence at this particular location is necessary and desirable and provides a service which contributes to the general well being of the community;
2. The proposed fence is compatible with the character of the site, adjacent properties, surrounding neighborhoods and other existing development;
3. The location of the fence will provide adequate screening and block headlights from glaring into abutting residential property;
4. The proposed fence is not detrimental to the health, safety and general welfare of persons residing or working in the vicinity and does not cause:
  - a. Unreasonable risks to the safety of persons or property because of possible strong wind gusts;
  - b. Unreasonable interference with the lawful use of surrounding property; and
  - c. A need for essential municipal services which cannot be reasonably met.

## **#6 – Planning Commission Policies and Procedures**

The Commission asked **Christy Alexander** to add all of the changes/suggestions, and they will discuss them at the next Planning Commission meeting.

### **ADJOURNMENT**

### **Motion**

**Nelsen Michaelson** made a motion to adjourn the meeting at 8:15 p.m. which was approved by Commission Members **Draper, Hillier, Michaelson, Nilson, and Young** and Alternate Commission Member **Brett Anderson**.

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**Randy Hillier, Chairman**  
**Farmington City Planning Commission**